

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**SCOTT DUPREE,  
Plaintiff,**

¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶¶

VS.

Case No. 4:12CV00433

**U.S. BANK NATIONAL ASSOCIATION,  
AS TRUSTEE, SUCCESSOR IN INTEREST  
BY MERGER TO LaSALLE NATIONAL  
ASSOCIATION, AS TRUSTEE FOR  
CERTIFICATE HOLDERS OF BEAR  
STEARNSASSET BACKED SECURITIES I,  
LLC ASSET BACKED CERTIFICATES,  
SERIES 2004-HE9,**

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

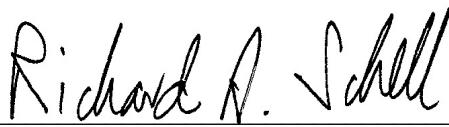
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On October 19, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and a recommendation that Defendant's Motion to Dismiss Plaintiff's Amended Complaint (Dkt. 4) be GRANTED and that Plaintiff's claims be dismissed with prejudice.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions

of the court. Therefore, Defendant's Motion to Dismiss Plaintiff's Amended Complaint (Dkt. 4) is GRANTED and Plaintiff's claims are dismissed with prejudice.

**IT IS SO ORDERED.**

**SIGNED this the 28th day of March, 2013.**

  
RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE